

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	4:06CR3014
	)	
V.	)	
	)	
LAANTHONY CLETAE CAIN,	)	ORDER
	)	
Defendant.	)	

In the course of denying a section 2255 motion and because I was concerned that Mr. Cain might be entitled to a sentence reduction under the retroactive crack Guidelines even if he was not entitled to relief under section 2255, I notified the Federal Public Defender and asked him to look into this matter. (*See* filing 75 at CM/ECF pp. 3-4 n. 2.) Although no motion seeking a sentence reduction under the changed Guidelines has been filed, I am now in receipt of a “Retroactive Sentencing Worksheet” prepared by a probation officer that suggests that Cain is entitled to a sentence reduction should such a motion be filed. Accordingly,

IT IS ORDERED that:

1. The Retroactive Sentencing Worksheet shall be filed in the court file and copies provided to the Federal Public Defender and the AUSA assigned to this case.
2. The parties are advised that I will take no further action on this matter unless and until a motion is filed.
3. The Clerk shall mail a copy of this memorandum and order and copy of the Retroactive Sentencing Worksheet to Mr. Cain at his last known address.

February 10, 2009.

BY THE COURT:

*S/Richard G. Kopf*  
United States District Judge